

Report Date: September 18, 2008

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Emmanuel Thomas Escobar

Case Number: 2:02CR02114-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 2/28/2003

Type of Supervision: 3 years

Original Offense: Unlawful Use of a Communication
Facility to Facilitate the Distribution of a Controlled
Substance, 21 U.S.C. § 843(b);
Carry/Possess Firearm During Narcotics Felony, 18
U.S.C. § 924(c)(1)(a)

Date Supervision Commenced: 9/17/2008

Original Sentence: Prison - 84 Months; TSR - 36
Months

Date Supervision Expires: 9/16/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 17 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Mr. Escobar was released from custody on September 17, 2008, to begin a 3-year term of supervised release. In order for his substance abuse testing conditions previously ordered by the Court to be in compliance with recent 9th Circuit case law, the above modifications are recommended. The offender has agreed to the modifications and a signed waiver is enclosed for the Court's review.

Prob 12B

Re: Escobar, Emmanuel Thomas

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

9/18/08
[Signature]

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

s/ Fred Van Sickle

Signature of Judicial Officer

9/22/08

Date